

I. INTRODUCTION

In 2000 the Kentucky General Assembly enacted into law the current employee evaluation system. You may read the law enacted under KRS 18A.110, Section 1, Subsection 1(i) and 7(j) and 101 KAR 2:180. The law requires that an employee's work performance shall be used in determining salary adjustments, promotions, and demotions, along with appropriate consideration to the factors contained in KRS 18A.0751(4)(f).

II. PROCEDURES

A. Eligible Employees

Employees subject to formal evaluation under the Employee Performance Evaluation System are as follows:

1. All full-time merit employees who have completed their initial probationary period of employment prior to January 1 of the evaluation year and have remained in continuous merit status throughout the performance year. The performance year is January 1 through December 31.
2. All merit employees on probation as a result of promotion who have worked in the position for at least 90 calendar days.

Note: An employee who originally met the eligibility requirements as of January 1st who later resigns in order to accept an appointment and is placed on probation due to that appointment is no longer eligible.

B. Job Categories

The evaluation of each employee will be based on his/her job performance within each of four job categories. These job categories include:

1. Job Tasks
2. Adaptability/Initiative
3. Communication/Teamwork
4. Self Management
 - a. Attendance

- b. Punctuality
- c. Dependability/Responsibility
- d. Career Development

C. General Provisions

1. For an eligible employee to be evaluated on his/her performance, he/she must have status at the beginning of the performance year and remain in continuous merit status throughout the performance year. (Few exceptions apply. Please contact the Personnel Office with specific questions.)
2. The evaluator of each employee should be the employee's first line supervisor. For a supervisor to qualify as the evaluator, he/she must have supervised the employee for a minimum of 90 calendar days. If the first line supervisor does not qualify, the next line supervisor who meets the 90 calendar day requirement becomes the employee's evaluator.
3. There are situations in which the normal evaluation procedures might be altered due to their special circumstances. These circumstances are as follows:
 - a. If an evaluator has supervised an employee for at least ninety (90) days within the evaluation year but then ceases to be the employee's supervisor before the annual evaluation occurs, he/she must forward the evaluation form and all documentation to the employee's new or next line supervisor.
 - b. In cases where the employee transfers to a new job, his/her evaluator shall forward the evaluation form, including interim meeting documentation, to the employee's personnel file. This is necessary in order for the new evaluator to evaluate the employee on his/her performance for the entire performance year.
 - c. If an employee changes job and reports to a different supervisor after October 1 of the performance year, the annual evaluation shall be completed by the former supervisor prior to the job change and forwarded to the employee's personnel file.

III. AN OVERVIEW OF THE EVALUATION SYSTEM

A. Start of Evaluation Period (Performance Plan)

1. The supervisor completes the personnel data on the evaluation form.

2. Together, the supervisor and employee identify or review the job duties for the position starting with the main job duty and ending with the least and complete the Job Task section on the evaluation form.

NOTE: The supervisor shall determine and distribute a total of 100 points between the job duties in all four categories on pages 1 and 2 (Performance Planning Section) of the form. A continuation sheet may be used if necessary.

3. The supervisor and the employee review the Performance Expectations developed by the supervisor for each job category in which the employee is evaluated.

If necessary, the performance plan shall be revised at any point during the performance period provided that changes are

- Included on the evaluation form.
 - Consistent with the Position Description.
 - Initialed and dated by both the evaluator and employee.
4. The Evaluator, next line supervisor, and the employee shall sign and date the form in the spaces indicated on page 2. The signatures must be in Red ink to ensure legitimacy.

NOTE: The administrative regulation governing the appraisal process requires the performance plan to be complete by January 31st.

B. Interim Reviews

The supervisor shall perform two (2) interim reviews on an employee during a performance year. These review sessions provide a face to face forum for both the supervisor and employee to address any concerns, needs, accomplishments and assessments.

1. The 1st Interim Review shall be conducted during the month of April and the 2nd Interim Review shall be held during the month of August.
2. Interim reviews shall be used to document performance to date. The annual performance rating should be supported by performance documentation throughout the year.
3. All pertinent comments concerning an employee's performance shall be documented in this area by the supervisor. Accomplishments as well as areas of improvement should be discussed and reflected in the interim meeting sections of the employee appraisal form.

C. Performance Improvement Plan

A performance improvement plan is a tool available to all supervisors who wish to formally address declines in productivity and/or overall performance. This instrument allows the supervisor to clearly identify performance issues, communicate steps for corrective action and set dates for follow up discussions. A face to face meeting should be scheduled with the employee. Also, written documentation by way of memorandum or the Performance Improvement Plan form should be developed to capture the information conveyed in the meeting. The performance improvement plan may be used at any time throughout the year or introduced during an interim review session.

D. Year-End Evaluation

The supervisor evaluates the employee's performance for the full year within each job category.

1. The supervisor shall indicate on pages 1 and 2 the appropriate numerical rating (1-5) determined for each job duty in each category.
2. The supervisor shall multiply the points assigned to each job duty by the numerical rating to obtain the total points for each duty. The supervisor shall then record the number in the "total" column.
3. The supervisor shall add the total points for each job duty to obtain total points for each category.
4. The supervisor shall add the total score for all categories and record the total Performance Score in Section III, Subsection A of the evaluation form.
5. The supervisor checks the appropriate box in Section III, Subsection B (Overall Performance Evaluation), to indicate the overall performance rating determined by the total performance score.
6. The supervisor shall **only** provide comments if the employee receives less than "Good" overall rating.
7. The supervisor discusses the evaluation with the employee.
8. If the employee agrees with the evaluation, he/she shall check the appropriate box and may provide comments in this section.

If the employee disagrees but accepts the evaluation, he/she shall check the appropriate box and shall note in this section the reason(s) for disagreement.

If the employee disagrees with any aspect of the evaluation and requests reconsideration, he/she shall check the appropriate box and state the disagreement in this section. *The employee has five (5) working days from the date the evaluation was signed to request reconsideration.*

9. The employee, the supervisor, and the next line supervisor sign and date the form using Red ink in the spaces indicated on page 4 in Section III, Subsection D.

NOTE: The employee must place his/her signature in the Employee Response section in order to request reconsideration.

D. Filing the Evaluation Form

Once the evaluation is completed, the employee will receive a copy of the evaluation form with the final rating and copies of appropriate documentation. The evaluation form will then be placed in the agency's central personnel office and the results will be submitted to the Personnel Cabinet.

E. Rewards

Employees who receive either of the two (2) highest possible ratings in the system shall receive a reward in the form of annual leave. Such leave shall be credited to the employee's leave balance on April 30th of the following year at the rate listed below:

- 1) An employee who receives a rating of "Outstanding" shall receive the equivalent of two (2) workdays, not to exceed sixteen (16) hours.
- 2) An employee who receives a rating of "Highly Effective" shall receive the equivalent of one (1) workday, not to exceed eight (8) hours.

F. Penalties

An employee who receives a rating of "Unacceptable" must be demoted to a position commensurate with his/her skills and abilities or terminated.

IV. THE RECONSIDERATION PROCESS

A. Reconsideration Meeting with Evaluator

Reconsideration may be requested after the year-end evaluation.

The first step in the reconsideration process is a meeting between the employee and the evaluator to discuss the final rating. The reconsideration meeting shall be held at the request of the employee and shall be conducted *within five (5)*

workdays after the final rating was first discussed with the employee and the evaluation was signed.

If the employee and evaluator come to an agreement during this meeting, the reconsideration process ends. If any changes are made to the evaluation, the changes shall be initialed and dated by both the evaluator and employee. If the final rating is changed, the change must be noted in Section III, Subsection E in the "Reconsideration" section of the form. The reviewer (second line supervisor) needs only to complete Section E, certifying that proper procedures have been followed.

If the employee does not agree with the final rating after the reconsideration meeting with the evaluator, and the employee wishes a review of the evaluation, he/she must submit a written request to the second line supervisor *within five working days from the date "Results of Initial Reconsideration" is signed*. The second line supervisor will serve as the reviewer.

When the reviewer receives a request to review a final rating, the reviewer must either obtain a written statement from the evaluator and the employee or meet individually with both the employee and the evaluator to discuss the final rating.

B. Reviewer's Rating

The reviewer shall determine the appropriate final rating *within 15 working days of receiving a request for review* and shall inform both the employee and the evaluator in writing of the rating. The reviewer determines a rating only at the request of the employee.

Once the reviewer determines a final rating, the reviewer should mark out the first score and/or rating given and indicate the new one in the appropriate space. The reviewer must place his/her initials over any changes on the form and complete Section E of the evaluation form.

All written statements by the employee, the evaluator, and the reviewer shall be attached to the final evaluation form, which shall be filed in the agency's central personnel office.

The results of Reconsideration are final and may not be appealed to the Personnel Board unless the employee receives one of the **two lowest overall ratings**. Such an appeal cannot be made until the employee has first exhausted the internal reconsideration process and has made written appeal within sixty (60) days of Final Reconsideration. The written reconsideration decision must be attached to this Annual Employee Performance Evaluation Form and will become a part of the employee's personnel file.

V. GLOSSARY OF TERMS

1. EVALUATOR: Generally, the first line supervisor who is responsible for evaluating an employee.
2. JOB DUTIES: A description of the performance requirements/duties of an employee. Such description must be consistent with the employee's position description (PD).
3. EXPECTATIONS: Specific performance requirements that must be developed for each job duty which identify the performance results necessary for a "Good" job.
4. JOB CATEGORIES: The four areas for which each state employee will be evaluated. These include the following:

Job Tasks
Adaptability/Initiative
Communication/Teamwork
Self-Management (Attendance, Punctuality,
Dependability/Responsibility, Career Development).
5. OVERALL RATING: The final rating given to the employee at the annual evaluation. The total performance score determines this rating.
6. RECONSIDERATION: The procedure outlined for an employee to appeal the initial rating by the evaluator. The process involves a second meeting with the evaluator, and if disagreement persists, it is to be resolved by the reviewer.
7. REVIEWER: Generally, the second line supervisor is responsible for the resolution of disagreements between the evaluator and the employee. The reviewer determines the overall rating only at the request of the employee. A year-end rating may be appealed to the Personnel Board if he/she received one of the two lowest ratings and has exhausted the internal reconsideration process.
8. PERFORMANCE
IMPROVEMENT PLAN: A management tool used to formally address performance issues and outline steps and a timeframe for corrective action.

VI. QUESTIONS AND ANSWERS

Q. Why have an employee performance evaluation system?

- A. 1) To improve communication between employees and management.
2) To improve productivity and the quality of service to the public.
3) To clarify employees duties and responsibilities.
4) To identify training needs

Q. Who will be eligible through this system?

- A. 1) Performance Evaluations shall be completed for all full time classified employees with status at the beginning of the performance year who have remained in continuous merit status throughout the performance year.

Q. Will eligible employees receive additional money as a result of this system?

- A. 1) Employees who receive either of the two (2) highest possible ratings in the system shall receive a reward in the form of annual leave. Such leave shall be credited to the employee's leave balance as follows:
- 1) An employee who receives a rating of "Outstanding" shall receive the equivalent of two (2) workdays, not to exceed sixteen (16) hours.
 - 2) An employee who receives a rating of "Highly Effective" shall receive the equivalent of one (1) workday, not to exceed eight (8) hours.

Q. Will employees on initial probation be evaluated through this system?

- A. Employees on initial probation are not eligible to be evaluated through this system. Ineligible employees do not have the right of appeal and are not eligible for performance awards. Therefore, employees who do not meet the eligibility requirements shall not be evaluated using this system.

Q. Will an employee's performance evaluation be used in determining salary advancements, promotions and demotions?

- A. An employee's performance evaluation will be one factor considered in determining eligibility for salary advancements, promotions and demotions.

Q. Why is every employee being rated at the same time?

- A. 1) To give supervisors the opportunity to evaluate all employees within a reasonably short period of time and learn of any consistent needs or problems throughout his or her area of responsibility.
2) With all employees being evaluated at the same time the supervisor should evaluate all employees more fairly and consistently.

Q. What role will the Personnel Cabinet have in regard to the evaluation system?

- A. 1) The Personnel Cabinet will monitor the operation of this program statewide.
2) They will have overall responsibility for the systems implementation and administration.

Q. Will non-merit employees be evaluated?

- A. Non-merit employees are not eligible to be evaluated through this system. Ineligible employees do not have the right of appeal and are not eligible for performance awards. Therefore, employees who do not meet the eligibility requirements shall not be evaluated using this system.

Q. Can a supervisor who is on probation evaluate employees?

- A. If he/she has supervised the employee for at least 90 calendar days.

Q. What happens to an employee who receives a rating of "Unacceptable"?

- A. He/she must be demoted to a position commensurate with his/her skills and abilities or terminated.

Note: Disciplinary action may be taken at any time as provided for in 101 KAR 1:345.

Q. What happens when an employee refuses to sign his/her evaluation form after the evaluation?

- A. The employee will not be allowed to appeal any disagreement with the evaluation. The evaluator should document in the employee response section of the evaluation form that the employee refused to sign. This should be indicated in the space for the employee's signature and then signed and dated by the evaluator. If possible a witness should be present.

Q. May an employee request reconsideration on his/her evaluation based on a disagreement over a performance score in one category?

- A. An employee may request reconsideration as he/she may appeal any part of his/her evaluation through this internal appeal.

Q. May an employee appeal to the Personnel Board his/her evaluation based on a disagreement over a performance score in one category?

- A. An employee may only appeal an evaluation to the Personnel Board when he/she receives either of the two lowest overall ratings. Such an appeal cannot be made to the board unless the employee first exhausts the internal reconsideration appeal.

Q. During the reconsideration process, when the next line supervisor changes a rating in a particular job category, how is this indicated on the form?

- A. The next line supervisor should mark out the first score and/or rating given and indicate the new one in the appropriate space. The next line supervisor must place his/her initials over any changes on the form.

Q. When the employee and evaluator agree on a rating and sign off on it, can any other line supervisor change a particular rating

- A. No.

Q. If an employee who works in a field office requests reconsideration of his/her evaluation, does the agency give him/her leave time to travel to Frankfort for the meeting with the evaluator?

A. Yes, an employee who has requested reconsideration should not be charged leave time in the event he/she has to travel to another location outside the local area to meet with the evaluator.

Q. Will employees on leave or who are on suspension be evaluated?

A. Eligible employees who have worked in the position for at least 90 calendar days during an evaluation period and are not on leave at evaluation time will be evaluated.

VIII. AGENCY LIAISON RESPONSIBILITIES

- A. To provide information to employees and supervisors relative to the employee performance evaluation system. This will include the following:
 - 1. To distribute information to employees and supervisors as requested by the Personnel Cabinet.
 - 2. To remind all supervisors of the following: the Performance Plan, the interim meetings, and the year end evaluation prior to the date each should occur.
 - 3. To distribute necessary employee performance evaluation forms and handbooks.
- B. To coordinate all employee performance evaluation training within the agency. This will involve the following:
 - 1. Identification of a staff person(s) to train or assist you in training the supervisors in the agency.
 - 2. To attend required training given by the Personnel Cabinet for employee performance evaluation. This training is also required for any person who will assist in training.
 - 3. To maintain a current listing of supervisors in the agency which documents when they attended performance evaluation training.
 - 4. To develop a training schedule for all agency supervisors and inform the Personnel Cabinet of this schedule. NOTE: If a supervisor misses all agency training dates you may contact the Personnel Cabinet, Evaluation Branch to arrange training. Additionally, you will need to ask the agency personnel administrator to notify you when supervisory staff change are made. Also ask management staff to notify you when employees are given supervisory responsibilities but no personnel action is involved.
 - 5. To monitor the overall performance evaluation training within the agency to insure the following:
 - a. that all persons who supervise receive the required training.
 - b. that all training be consistent with information explained in the employee evaluation handbook.
- C. To counsel and advise supervisors as needed on problems relating to the evaluation of their employees.
- D. To submit to the Personnel Cabinet the ratings of all employees eligible for performance evaluation. Ratings should be submitted for the Year-end evaluation.
- E. To maintain all employee evaluation documents in the agency's central personnel file.

- F. To complete reports as requested by the Personnel Cabinet to be used in monitoring and evaluating the performance evaluation system.